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PATENT  
9/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the Application of:

Robert Harvey Moffett

CASE NO.: CH2814 US NA

SERIAL NO.: 09/898,437

GROUP ART UNIT: 1724

FILED: 07/03/2001

EXAMINER: Peter Hruskoci

FOR: Phosphorus Reduction in Aqueous Streams

NOTICE OF APPEAL

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision dated June 12, 2002 of the Primary Examiner finally rejecting Claims 1-40.

Please charge the Notice of Appeal Fee to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company) as shown in the accompanying form PTO/SB/31. If the fee is insufficient or incorrect, please charge or credit the Deposit Account. This Notice of Appeal is submitted in duplicate.

Respectfully submitted,

*LK Shay*  
Lucas K. Shay  
Registration No. 34,724  
Telephone: 302-992-6154  
Facsimile: 302-892-7925

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SEP 23 2002  
TC 1700

Dated: September 11, 2002

09/26/2002 TMOODRUF 00000001 041928 09898437  
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**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

CH2814 US NA

In re Application of  
Robert Harvey Moffett

Application Number  
09/898,437

Filed  
07/03/2001

For: Phosphorus Reduction in Aqueous Streams

Group Art Unit:  
1724

Examiner: Peter Hruskoci

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 12, 2002, rejecting the following claims: 1-40.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 310

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1928. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

  
Signature

Lucas K. Shay

Typed or printed name

September 11, 2002

Date

NOTE: SIGNATURES OF ALL THE INVENTORS OR ASSIGNEES OF RECORD OF THE ENTIRE INTEREST OR THEIR REPRESENTATIVE(S) ARE REQUIRED. SUBMIT MULTIPLE FORMS IF MORE THAN ONE SIGNATURE IS REQUIRED. SEE BELOW.

☐ \*Total of 1 forms are submitted.

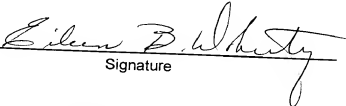
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## Certificate of Mailing under 37 CFR 1.8

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Washington, D.C. 20231

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